

October 15, 2015

To: Haines Borough Planning Commission

Re: Mike Wilson's Conditional Use Permit (CUP) request for heliport at 35 Mile, Haines Highway

Hello Planning Commissioners,

In order to prevent a proliferation of private heliports in the General Use Zone, I am opposed to any additional heliports to the current ones in use. Mr. Wilson's application for a heliport CUP is a perfect example of this proliferation since it is located just 2 miles from another heliport at 33 Mile. The Haines Airport is the proper location for aircraft use including helicopters.

That being said, I have several concerns about this particular application for a heliport CUP.

It has come to my attention that the ownership of the parcel west of Mike Wilson's property is in question. According to planning technician, Tracy:

Currently I am not able to find any documentation indicating/confirming the ownership info. (email, 10-13-15)

The manager's discussion of the criteria for issuing a Conditional Use Permit states that:

1. This use is so located on the site as to avoid undue noise and other nuisances and dangers.

The property is one 10.4 acre lot. There are three vacant lots directly adjacent to Wilson's property. The ones immediately to the west and east are state land; the one immediately to the north is also Wilson's property. On 10/05, surrounding property owners within 200 feet were notified. Staff has not received any comments from these property owners. The proposed helipad is situated on an upper terrace in the middle of the lot as far away from the property line as possible. The nearest residence is located approximate 0.75 mile away.

~~~~~

The manager's statement that the parcel west of the Wilson property is state land is not consistent with land status information available in several public documents. The borough "property info online" and the Haines State Forest Management Plan (Aug. 2002, Map 3-4, Management Unit 3 Klehini River) indicate that the parcel west of Mike Wilson's property is private land. The Haines Comprehensive Plan 2012, Part 2, PDF 91, Figure 7-9, Land Status map, also shows the parcel west of the Wilson property is private land.

Since the ownership of the 'west parcel' has not yet been documented by the borough, the current owner may not have been notified of the proposed heliport and this public hearing. Haines Borough Code, 18.30.020 Public notice, requires that:

C. All property owners within an area of 200 feet from the location of a proposed variance, conditional use or rezoning shall be notified in writing of the application, the date of the hearing thereon, the proposed use or zone, and the fact that further information is available from the manager. Such notification shall be done at least five days prior to the conduct of the hearing.

~~~~~

In order to satisfy HBC 18.30.020(C), I ask that the Planning Commission postpone this public hearing until adequate documentation of the ownership of the parcel west of the Wilson property is obtained and the owner has been notified by the borough in writing of the Conditional Use Permit application and scheduled public hearing.

The manager's discussion of the criteria for CUPs also states:

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

... While the proposed use may not seem to be in harmony with the comprehensive plan, it does appear to be consistent with the surrounding existing commercial use (33 Mile Roadhouse). An area around the 33-mile roadhouse is designated on the Future Growth maps for Commercial development. The goal is overtime to concentrate commercial activity in a few discrete areas rather than having it develop strip-mall style all along the Haines Highway.

~~~~~

The Wilson property is not located within the area designated "Commercial" on the Haines Borough Comprehensive Plan Future Growth map, Figure 7-10, but is several miles away. While the future growth map is not a zoning designation, it does "signal the Borough's interest in encouraging commercial uses to cluster together..." (Comprehensive Plan, Part 2, PDF 95)

Also, the Comprehensive Plan calls for borough planning to consider a heliport on public land in addition to the airport. This effort would serve to reduce the current trend of private heliport CUP requests.

[excerpt from the Comprehensive Plan, Part 2, PDF 3]:

In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues, but this raised a larger question of whether a heliport on public land should be developed to consolidate helicopter activity. To effectively plan for future heliport use the Borough should work to establish a criteria that clearly defines the public health, safety and welfare issues it desires to address, define the characteristics a suitable site would have such as acceptable noise levels and distance from residences, systematically evaluate possible sites, and if a site is identified and developed, offer incentives (e.g. increased skier days) and disincentives to encourage its use.

The manager's recommends several conditions to the CUP:

Therefore, I [manager] recommend the Planning Commission approve Wilson's conditional use proposal with conditions of (1) conform to the statement set forth in the permit application; and (2) fuel storage will be done in accordance with DEC standards with a fuel spill containment project in place before operation begin.

If a CUP is granted, I suggest the following conditions also be included:

- Use of the heliport is limited to the heli-ski season, February 1 to May 3.
- Unless weather, safety conditions, mechanical difficulties or Federal Aviation Administration requirements dictate otherwise, helicopters using the 35 Mile heliport will follow the access route described below:

Use Porcupine Creek, McKinley Creek or Glacier Creek to access Porcupine Peak and Flower Mountain areas. Avoid Jarvis Creek, and the Klehini River to keep noise away from residences. Access the Mt. Jonathan Ward area from the Porcupine Peak are. Use a route directly behind 35 Mile to access Four Winds area.

- Heli-ski operations conducted at 35 Mile heliport will cease operations at 33 Mile heliport.

These conditions will help protect the public's health, safety and welfare by defining the months of use, describing flight departures and arrivals, and limiting helicopter noise to residents living between the 33 Mile heliport and the proposed 35 Mile heliport. Locating another heliport 2 miles away from 33 Mile is redundant and highlights the problem of issuing CUPs for private heliports. There is little public benefit from proliferating private heliports and costs to the public good can be high. Care must be taken by decision-makers to limit negative impacts to residents and property owners as much as possible.

If a CUP is issued, I also suggest it be limited to one year so that the public can re-evaluate the heliport after one year of use.

Thank you for considering my comments,

Carolyn Weishahn